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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/690,437	10/18/2000	Michel K. Susai	2006579-0454 (CTX-170)	3741

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TWO INTERNATIONAL PLACE
BOSTON, MA 02110

EXAMINER

CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/690,437

Applicant(s)

SUSAI ET AL.

Examiner

Dohm Chankong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

1> This application has been forwarded to a new examiner; new contact information is in the conclusion of this action. This action is in response to Applicant's request for continued examination. Claims 1-8 are amended. Claims 1-8 are presented for further examination.

2> This is a non-final rejection.

Continued Examination Under 37 CFR 1.114

3> A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10.6.2006 has been entered.

Response to Arguments

4> Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Oath/Declaration

The declaration filed on 10.6.2006 under 37 CFR 1.131 is sufficient to overcome the Peiffer reference.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5> Claims 1 are rejected under 35 U.S.C. §103(a) as being unpatentable over Baskey et al, U.S Patent No. 6,732,269 ["Baskey"].

6> As to claim 1, Baskey discloses an apparatus comprising:

means for opening a first transport layer connection between a first client and an interface unit [Figure 4 «items 10, 36, 40» | column 1 «lines 21-25» : SSL protocol layered on top of TCP/IP (transport layer)];

means for opening a second transport layer connection between said interface unit and a server [Figure 4 «items 40, 44, 50»];

means for allowing said first client to access information on said server via said second transport layer connection [column 6 «lines 3-16» | column 10 «lines 25-43»];

means for opening a third transport layer connection between a second client and said interface unit [Figure 5 «items 10', 36', 40'» | column 10 «lines 44-53»]; and

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means for allowing said second client to access information on said server via said second transport layer connection [column 5 «line 58» to column 6 «line 16» | column 10 «lines 44-53»].

Baskey does not *expressly* disclose allowing said second client to access information without waiting for said first client to disconnect. However, it would have been obvious to one of ordinary skill in the art to infer such a feature based on various teachings within the Baskey reference.

For example, Baskey discloses that the proxy server (analogous to claimed interface unit) “may multiplex communications from the client applications onto the persistent secure connection and de-multiplex communications from the persistent secure connection onto the SSL connections with the client applications” [column 3 «lines 51-55»]. The fact that communications are multiplexed from and demultiplexed to multiple client applications is implies that the clients (36 and 36’) may utilize the shared persistent connection (44) simultaneously. In other words, one client does not have to wait for the other client to disconnect before receiving information [see also column 7 «lines 14-21»]. Therefore, while not expressly stated, it would have been obvious to one of ordinary skill in the art to have reasonably inferred that Baskey taught the claimed limitation.

7> As to claim 2, Baskey discloses means for delinking said first transport layer connection and said third transport layer connection while keeping open said second transport layer connection [column 2 «lines 49-58» : the use of a persistent connection

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between the proxy server and the server implies that the connection between the clients and the proxy server can be closed without affecting the persistent connection].

8> As per claim 5, the claim is rejected for the same reasons as rejection to claim 1 above.

9> As per claim 6, the claim is rejected for the same reasons as rejection to claim 2 above.

10> Claims 3-4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baskey, in view of RFC 2616, Fielding et al. (hereinafter Fielding), June 1999.

11> Fielding was recited by the Office in the final rejection, filed 2.10.2006.

12> As per claim 3, Baskey disclose the invention substantially as rejected in claim 1 above, but does not explicitly say means for utilizing a content length parameter to determine whether all of said information has been sent to said first client.

13> Essentially the claim is directed towards a means of detecting the end of transmitted information. Fielding teaches means for utilizing a content length parameter to determine whether all of said information has been sent to said first client (Fielding, 3.6.1. Chunked Transfer Coding, lines 1-6, it should be noted that the coding works bi-directional within any network).

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It would have been obvious to the person of ordinary skill in the art at the time of the invention to incorporate Fielding teaching with Baskey because the combination would improve the accuracy and safe transport by utilizing a verification scheme (Fielding, Fielding, 3.6.1. Chunked Transfer Coding, lines 1-6; Fielding, 3.6 Transfer Codings, lines 1-5).

15. As per claims 4, and 7-8, the claims are rejected for the same reasons as rejection to claim 3 above. Note that each chunk contains its own size fields.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Russell et al, U.S Patent No. 5,553,242;
Batra, U.S Patent No. 6,105,067;
Quinlan, U.S Patent No. 6,338,089;
Quinlan et al, U.S Patent No. 6,397,253;
Van Watermulen et al, U.S Patent No. 6,604,046;
Vahalia et al, U.S Patent No. 6,973,455.

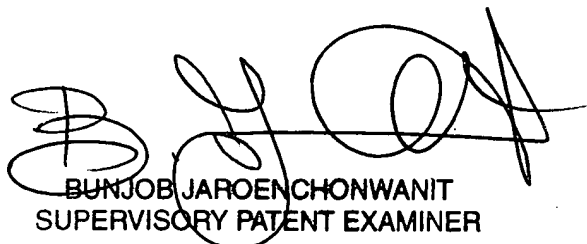
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Tuesday-Friday [7:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER